

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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WEST COAST 2014-7 LLC,

Plaintiff,

**MEMORANDUM & ORDER**

20-CV-4187 (EK) (RML)

-against-

KENNETH SPELLER, LISA SPELLER,  
CRIMINAL COURT OF THE CITY OF NEW  
YORK, et al.

Defendants.

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ERIC KOMITEE, United States District Judge:

The Court has received Magistrate Judge Robert Levy's Report and Recommendation ("R&R") dated January 25, 2022. ECF No. 19. Judge Levy recommends that this Court (1) grant Plaintiff's motion for default judgment of foreclosure and sale in the amount of \$61,811.07, plus interest at the rate of 10.25 percent per annum and (2) direct Plaintiff to submit the names of three proposed referees from which the Court will appoint a referee to sell the mortgaged property at auction to the highest bidder, in accordance with N.Y. R.P.A.P.L. Article 13. Neither party has filed objections and the time to do so has expired. Accordingly, the Court reviews Judge Levy's recommendation for clear error on the face of the record. See *Advisory Comm. Notes to Fed. R. Civ. P. 72(b); accord State Farm Mut. Auto. Ins. Co. v. Grafman*, 968 F. Supp. 2d 480, 481 (E.D.N.Y. 2013).

Having reviewed the record, I find no clear error and therefore adopt the R&R in its entirety. Thus, I grant Plaintiff's motion for default judgment, enter a judgment of foreclosure and sale against defendants Kenneth Speller and Lisa Speller in the amount of \$61,811.07, plus interest at the rate of 10.25 percent per annum to run from December 11, 2020 through the date of judgment. I further order Plaintiff to submit via letter a list of names of three proposed referees by April 11, 2022. The Clerk of Court is respectfully directed to enter judgment.

SO ORDERED.

/s/ Eric Komitee  
ERIC KOMITEE  
United States District Judge

Dated: March 28, 2022  
Brooklyn, New York